

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY GENE BUNGE ON BEHALF OF CANYON)	COMPLAINT AND CLOSING
SHADOWS WATER COMPANY, INC., RAPID)	DOCKET
CITY, SOUTH DAKOTA, AGAINST QWEST)	
CORPORATION REGARDING TERMINATION)	CT03-008
OF SWITCH FUNCTION RESULTING IN)	
DAMAGE)	

On April 4, 2003, the Public Utilities Commission (Commission) received a complaint filed by Gene Bunge on behalf of Canyon Shadows Water Company, Inc., Rapid City, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding termination of switch function resulting in damage.

On April 7, 2003, the complaint was faxed to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by April 28, 2003. On April 28, 2003, the Commission received an answer from Qwest. Commission Staff was informed that settlement had been reached in this matter.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On July 1, 2003, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff stating that the matter had been settled, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 14th day of July, 2003.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner